

R E M A R K S

Claims 1-5, 9 and 11-15 are now in this Application, and are presented for the Examiner's consideration.

Objection to Drawings

The drawings were objected to as not showing every feature of the invention specified in the claims.

It was stated that the features of "the support tray, lever, ground surface, motor and arrangement," as recited in the claims, must be shown in the drawings, or must be canceled from the claims.

In this regard, claims 6-8 which recited the support tray have been canceled, and claim 10 which recited the motor has been canceled.

The lever of claim 9 is shown in Figs. 1 and 5, and has been labeled in Figs. 1 and 5 by numeral 100. The specification has been amended at page 3, line 23.

The ground surface of claim 1 has been added to Fig. 5, and labeled by numeral 200. The specification has been amended at page 2, line 16.

Also enclosed is a Replacement Sheet and an Annotated Sheet Showing Changes to Figs. 1 and 5.

As to the "arrangement," it is unclear as to what the objection pertains. There is an arrangement claimed in claim 1,

but this arrangement is defined as including the first body, the second body, the slots and the shafts. These elements are clearly identified in the specification and drawings. If the arrangement refers to the anti-slip securing arrangement of claim 7, this is rendered moot by the cancellation of this claim.

In addition, Fig. 1 was objected to on the ground that element 16 appears to have another element extending from it, and it is unclear what this element is. Element 16 is the shaft in slot 14. See page 2, lines 22-24. There is no element extending from shaft 16 in Fig. 1. It is submitted that the confusion arose because the lead line for shaft 16 was not extended sufficiently far, and therefore ended at the end of slot 14, rather than continuing the small distance to shaft 16.

In this regard, the lead line for element 16 has been extended to point to shaft 16, rather than the end of slot 14.

The enclosed Replacement Sheet and an Annotated Sheet Showing Changes to Fig. 1 also make this change.

Accordingly, it is respectfully submitted that the objections to the drawings have been overcome.

Rejection of Claims under 35 U.S.C. §112:

Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner states that the

phrase "on ground surface" in claim 1 is unclear and confusing as to what the ground surface is referring, that is, the floor or the bottom of the chair.

The ground surface refers to the floor, which does not form part of the present invention. It is submitted that by use of the term "ground" in conjunction with "surface," it is made clear that claim 1 refers to the floor surface.

Accordingly, it is respectfully submitted that the rejection of claims 1-12 under 35 U.S.C. §112, second paragraph, has been overcome.

Prior Art Rejections

Claims 1, 4, 9, 11 and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,603,551 to Sheehan.

It is first pointed out that the movements of Sheehan are contrary to the present application. In Sheehan, when the seat is tilted backward, the seat is also moved backward. When the seat is tilted forward, the seat is also moved forward. This is contrary to the present invention which provides that the center of gravity must be maintained at all times. Thus, when the seat is moved backward, it is also moved forward at the same time, in order to maintain this position of the seat.

As a first structural distinction to attain this result, claim 1 recites that the first body joined to the support leg has two sides parallel with each other, each of the parallel sides having at least two slots therein, with the slots not being parallel with each other. Thus, side 7 of the present application which is joined to the support leg 4, has two slots 11 and 12, and parallel side 8 of the present application which is joined to the support leg 4, has two slots 11 and 12.

Claim 1 further recites that there is a second body joined to the seat and backrest of the armchair, the second body having two sides parallel with each other and parallel with the parallel sides of the first body, each of the parallel sides of the second body having at least two slots which are not parallel with each other. Thus, side 9 of the present application which is joined to the seat and backrest has two slots 13 and 14, and parallel side 10 of the present application which is joined to the seat and backrest has two slots 13 and 14.

Sheehan provides a side plate 21 having a single slot 21a, and the opposite side plate 22 also has only a single slot 22a. In like manner, the inward guide member 23 has a single slot 23b and the inward guide member 24 has a single slot 24b. All four of these side plates are secured to plate 16 which is secured to the support leg 14. Thus, these side plates would correspond

only to the claimed first body which is secured to the support leg.

However, there is only one slot in each of these side plates 21-24 secured to support leg 14, contrary to the recitation in claim 1 that each side plate or side joined to the support leg has at least two slots therein.

Sheehan also includes a support member 27 between plates 21 and 23, which has rollers that extend into the slots, and there is a support member 28 between plates 22 and 24, which has rollers that extend into the slots. However, the support members 27 and 28 which would correspond to the claimed second body of claim 1 herein which is joined to the seat and backrest of the armchair, do not include any slots whatsoever. Claim 1 recites that the second body has two sides 9, 10 parallel with each other and parallel with the parallel sides of the first body, each of parallel sides of second body having at least two slots 13, 14 which are not parallel with each other.

Thus, the sides or plates 21-24 of Sheehan that are secured to the support leg each have only one slot therein, and the sides or plates 27, 28 of Sheehan that are secured to the seat and back have no slots therein, contrary to the present claimed invention.

As discussed above, each plate 7, 8, 9 and 10 of the present application has two slots 11,12; 13,14, which is completely contrary to Sheehan.

Further, by reason of this different structure, Sheehan does not maintain the same center of gravity during the articulation movement.

Previously pending claim 1 recited that the articulation movement of the seat in respect of the support leg simultaneously provides a displacement of a geometrical center of the seat for maintaining a center of gravity of the seat with a person in a centered position.

Because this was recited in functional terminology, claim 1 has been amended to recite specific structure to achieve this result. Thus, claim 1, in addition to reciting a shaft crossing each pair of aligned slots of the first and second bodies, now also recites the structural relationship that the at least two slots in the first body are oriented relative to each other and the at least two slots in the second body are oriented relative to each other in a manner to provide that the seat maintains a center of gravity during articulation movement of the seat in respect of the support leg.

As further structural distinctions, it will be seen, for example, that slots 13, 14 in Fig. 1 are angled downwardly toward each other. In Sheehan, however, the opposite is true. Specifically, as shown in Fig. 5 of Sheehan, slots 21a and 23b are angled upwardly toward each other. Further, the slots 11 and 12 do not overlap in the transverse direction of the chair, and

the slots 13 and 14 of the present application do not overlap in the transverse direction of the chair, whereas slots 21a, 23b and slots 22a, 24b clearly overlap in the transverse direction of the chair in Sheehan, as shown in Fig. 6. Still further, the slots of Sheehan are curved, while the slots of the present application are substantially linear. With this latter limitation, as opposed to Sheehan, the length of the displacement when the seat is tilted and the height of the armchair can be reduced. These structural limitations have been added to new claims 13-15.

Accordingly, it is respectfully submitted that the rejection of claims 1, 4, 9, 11 and 12 under 35 U.S.C. §102(b) has been overcome.

Claims 1, 4, 5, 9, 11 and 12 were further rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,865,457 to Knabush.

In Knabush, the seat and backrest are movable with respect to each other. The slots therein are merely to provide a minor displacement to allow the articulation of the backrest. Further, the slots are not formed in lateral plates, as required by claim 1 herein.

In Knabush, slide member 104 is pivotally coupled to a lower end of rear swing link 90 at pivot 102 and has an elongated slot 106 formed therein. Rear swing link 90 is connected to seat 30.

Further, the side rails of seat 30 in Knabush are adapted to receive front slide assembly 84 which includes front slide bracket 110 having lost motion slot 112 formed therein for guiding the fore and aft motion of seat 30 on support shaft 76.

Thus, both slots 106, 112 are connected to members that are connected to seat 30. Assuming that these correspond to the slots in the sides of the second body connected to the seat, in accordance with claim 1 herein, there is no disclosure of any slots in Knabush corresponding to the slots in the first body connected to the support leg, as recited in claim 1 herein.

Thus, Knabush fails to meet these limitations of claim 1, as well as the limitations of the relationship between the first and second slots, since there are no such first slots in Knabush.

Further, as disclosed at column 13, lines 34-36 of Knabush, as seat 30 moves upwardly and forwardly, front slide brackets 110 slide upwardly and forwardly along support shaft 76. However, as to slot 106, it appears that this does not function during such upward and forward movement of seat 30. Rather, slot 106 defines a deep recline limit of the reclining movement of the seat assembly (column 13, lines 54-55). More specifically, when seat back 28 reaches the deep reclined position, retainer 108 engages the rear portion of slot 106 to provide a positive mechanical stop, thus limiting further reclining motion of seat back 28 relative to seat 30 (column 13, lines 62-65). Thus, it appears

that slot 106 merely relates to the pivoting movement between seat 30 and seat back 28.

Still further, there is no indication that the center of gravity of the seat in Knabush remains the same during movement of the seat, as per the present invention.

In this regard, claim 1 has been amended, as discussed above, to recite the structural recitation that the two slots in the first body are oriented relative to each other and the two slots in the second body are oriented relative to each other in a manner to provide that the seat maintains a center of gravity during articulation movement of the seat in respect of the support leg.

Thus, this last paragraph of claim 1 provides this limitation as a structural limitation which relates to the orientation of the slots in each plate relative to each other in order to maintain the center of gravity the same during articulation. Knabush does not provide this structural limitation, and also, does not maintain the center of gravity the same during articulation.

Accordingly, it is respectfully submitted that the rejection of claims 1, 4, 5, 9, 11 and 12 under 35 U.S.C. §102(b) has been overcome.

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being obvious from Sheehan, in view of U.S. Patent No. 5,354,120 to Volkle.

The remarks made above in regard to Sheehan are incorporated herein.

In Volkle, the racks and pinions are merely supports for the seat, where the backrest is articulated with respect to the seat. In Volkle, the movement is governed by an endless screw placed in the front part.

In the present invention, on the other hand, the racks and pinions are the members that govern the state of the inclination and displacement.

In any event, Volkle fails to disclose or even remotely suggest any slots, let alone the two slots in the first body and the two slots in the second body, as recited in claim 1. Therefore, Volkle does not cure any of the deficiencies of Sheehan.

Accordingly, it is respectfully submitted that the rejection of claims 2 and 3 under 35 U.S.C. §103(a), has been overcome.

Claims 6-8 were rejected under 35 U.S.C. §103(a) as being obvious from Sheehan, in view of U.S. Patent No. 6,450,578 to Taggett.

The remarks made above in regard to Sheehan are incorporated herein.

Taggett fails to disclose or even remotely suggest any slots, let alone the two slots in the first body and the two slots in the second body, as recited in claim 1. Therefore, Taggett does not cure any of the deficiencies of Sheehan.

In any event, claims 6-8 have been canceled, thus rendering moot the rejection of claims 6-8 under 35 U.S.C. §103(a).

Claim 10 was rejected under 35 U.S.C. §103(a) as being obvious from Sheehan, in view of U.S. Patent No. 6,450,581 to Koerlin.

Koerlin fails to disclose or even remotely suggest any slots, let alone the two slots in the first body and the two slots in the second body, as recited in claim 1. Therefore, Koerlin does not cure any of the deficiencies of Sheehan.

In any event, claim 10 has been canceled, thus rendering moot the rejection of claims 6-8 under 35 U.S.C. §103(a).

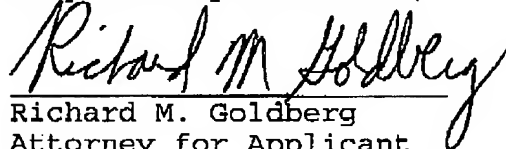
If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-5, 9 and 11-15 are allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,



Richard M. Goldberg
Attorney for Applicant
Registration No. 28,215

25 East Salem Street
Suite 419
Hackensack, New Jersey 07601
TEL (201) 343-7775
FAX (201) 488-3884
e-mail: goldbergpat@earthlink.net

Two Replacement Sheets for Figs. 1 and 5
Two Annotated Sheets Showing Changes for Figs. 1 and 5

ANNOTATED SHEET SHOWING CHANGES

1/5

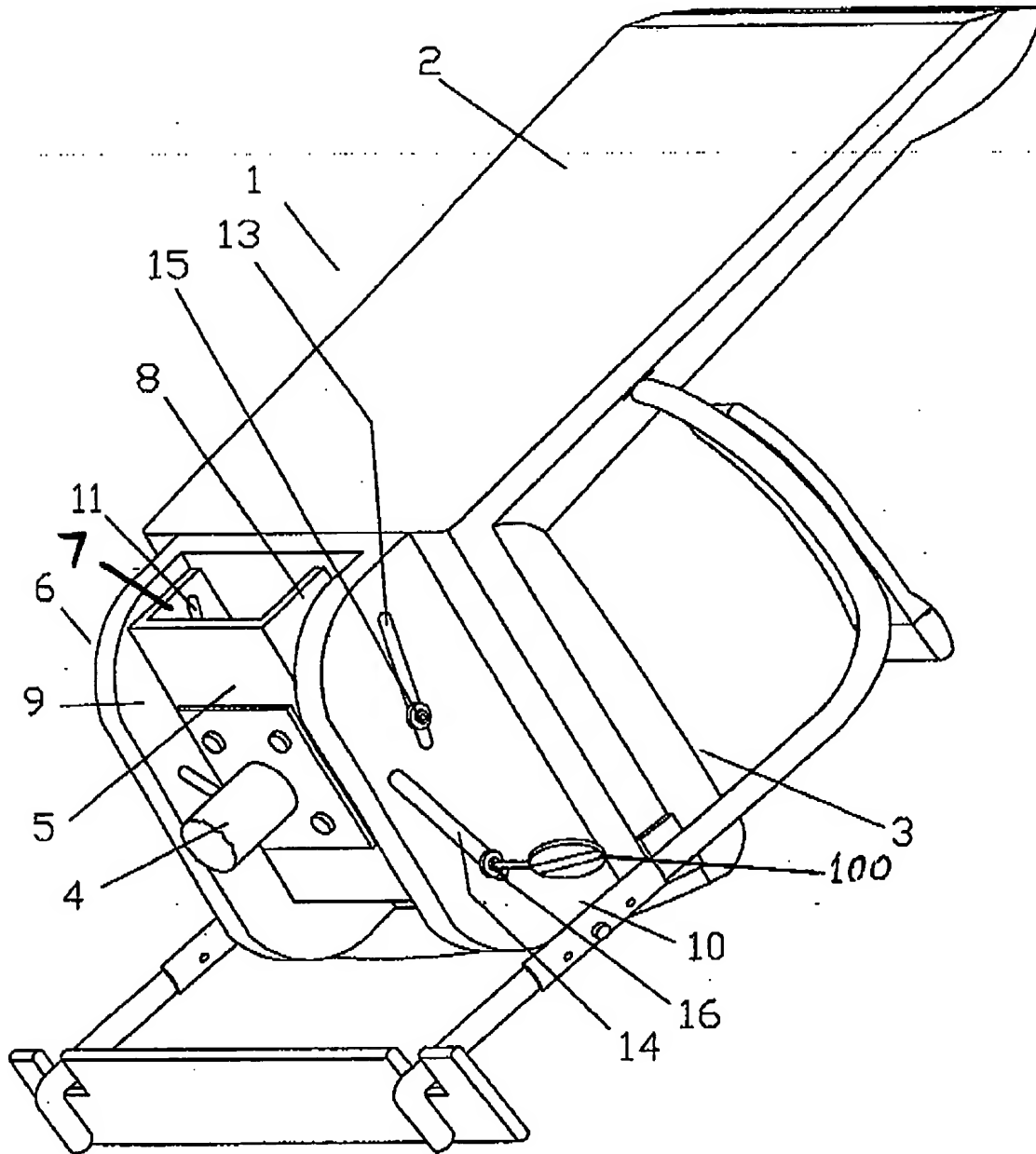


Fig.1

ANNOTATED SHEET SHOWING CHANGES

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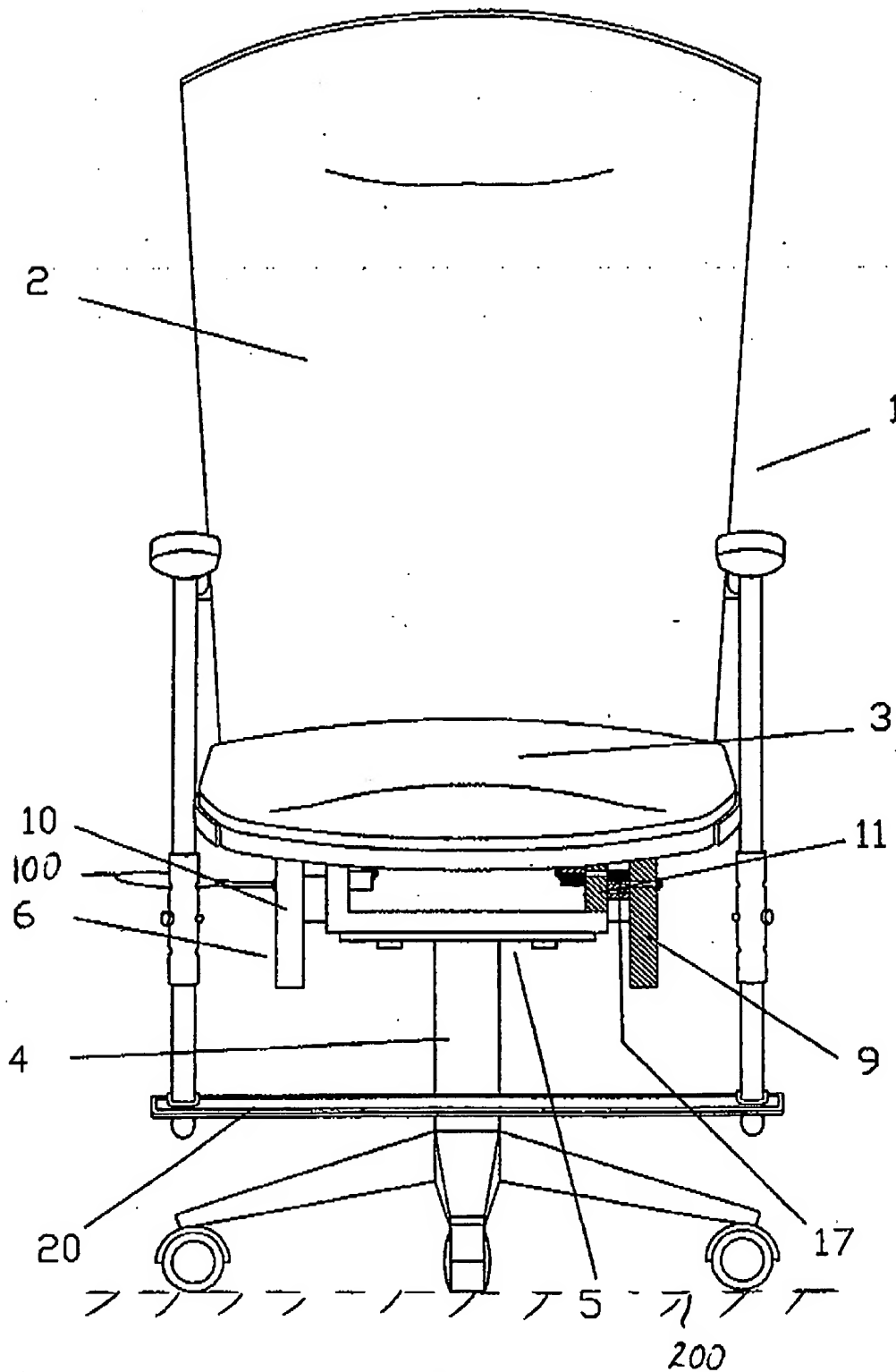


Fig.5